



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Nields & Lemack
176 E. Main Street
Suite #5
Westboro MA 01581

COPY MAILED

JUN 20 2008

OFFICE OF PETITIONS

In re Application of :
Jurgen Beil :
Application No. 09/918,074 : DECISION ON PETITION
Filed: July 20, 2001 :
Attorney Docket No. 534P008 :

This is a decision on the petition, filed August 11, 2006, under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to reply to the Notice under 37 CFR 1.251 mailed January 5, 2006 regarding the reconstruction of a lost file, which set a three (3) month shortened statutory period for reply. A Notice of Abandonment was mailed on July 14, 2006.

The file was originally indicated as lost September 2, 2005 and reconstruction procedures were initiated, which included the mailing of the Notice on January 5, 2006. A reply was received April 5, 2006, as indicated by the post card receipt accompanying the additional petition under 37 CFR 1.181 that was filed June 3, 2008. However, the papers for reconstruction of the file identified on the post card receipt are not in the possession of the USPTO. Nonetheless, the file was found by the USPTO on March 12, 2008. Accordingly, the holding of abandonment is withdrawn.

Telephone inquiries concerning this decision should be directed to Christopher Bottorff at (571) 272-6692.

This application is being referred to Art Unit 3641 for consideration of the decision of the Board of Patent Appeals and Interferences mailed March 24, 2005.

David Bucci
Petitions Examiner
Office of Petitions